



## General Assembly

Distr.: General  
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Original: English

### Committee on the Exercise of the Inalienable Rights of the Palestinian People\*

#### Summary record of the 277th meeting

Held at Headquarters, New York, on Friday, 12 March 2004, at 10 a.m.

Temporary Chairman: Mr. Kofi Annan ..... (Secretary-General of the United Nations)

Chairman: Mr. Badji ..... (Senegal)

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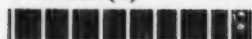
Draft programme of work of the Committee

Report by the Rapporteur on the United Nations Meeting for Asia and the Pacific on  
the Question of Palestine and the Public Forum in Support of Middle East Peace

\* The verbatim record of the 276th meeting appears as document A/AC.183/PV.276.

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.



*The meeting was called to order at 10.20 a.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*

**Expression of sympathy in connection with the recent tragedy in Madrid**

2. **The Temporary Chairman** expressed sympathy to the King, Government and people of Spain in connection with the recent tragedy in Madrid.
3. *At the invitation of the Temporary Chairman, the members of the Committee observed a minute of silence.*

**Election of officers**

4. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.
5. **Mr. Hachani** (Tunisia) nominated Mr. Badji (Senegal) for election to the office of Chairman; Mr. Farhâdi (Afghanistan) for re-election, and Mr. Requeijo Gual (Cuba) for election, to the offices of Vice-Chairmen; and Mr. Camilleri (Malta) for election to the office of Rapporteur.
6. **Mr. Shiweva** (Namibia) seconded the nominations.
7. *Mr. Badji (Senegal), Mr. Farhâdi (Afghanistan), Mr. Requeijo Gual (Cuba) and Mr. Camilleri (Malta) were elected by acclamation.*
8. *Mr. Badji (Senegal) took the Chair.*
9. **The Chairman** said that he wished to join the Secretary-General in expressing sympathy to the Government and people of Spain at the terrorist attack which had struck innocent victims in Madrid.
10. The presence of the Secretary-General at the Committee's first meeting of 2004 was honouring a tradition but also reinforcing the Committee's moral standing and credibility and reaffirming his personal commitment to the legitimate cause of the Palestinian people.

**Statement by the Secretary-General**

11. **The Secretary-General** congratulated the Chairman and his colleagues in the Bureau of the Committee on their election.
12. The current situation between Palestinians and Israelis remained extremely tense. There had been no discernible progress in peace efforts. The goal of the Palestinians, an end to the occupation and the establishment of an independent State of Palestine, was still out of reach. The hope of the Israelis for security had yet to be realized.
13. Instead, the situation on the ground had once again been shaken by a wave of violence. Israeli incursions into Palestinian cities, arrests, house demolitions, closures and curfews had continued. Targeted assassinations had resumed. Their victims had not been their intended targets alone — tragically, many civilians going about their daily lives in the crowded streets had also been killed.
14. Over the last few years, Palestinian terrorist attacks had claimed many innocent civilian lives in Israel. There was no justification for such crimes. Efforts to achieve a comprehensive ceasefire, which would help prevent such horrific acts, had so far produced no results.
15. Palestinians were dismayed to see more and more of their land being taken to make way for the expansion of the barrier, the construction of which had generated heated protests, only adding to Palestinian anger and desperation.
16. The death toll since September 2000 had continued to climb. It had now reached over 3,000 Palestinians and over 900 Israeli dead. Thousands more had been wounded. Most of those killed had been civilians, many of them children.
17. The price already paid by both Israelis and Palestinians had been far too high. No more time should be wasted. There was an urgent need for a negotiated settlement to that deadly conflict.
18. The lack of any tangible progress towards a peaceful settlement had raised the level of hopelessness and despair among ordinary Palestinians and Israelis. Frustrated by the stalemate in the peace process, civil society had begun exploring possible pathways that could stimulate peacemaking and push the process forward. Late the previous year, the Geneva Initiative

and the Ayalon-Nusseibeh statement of principles had sent a powerful message that differences could be bridged and that a dialogue was possible.

19. But only a clear political resolve on the part of the Israeli and Palestinian leaderships would break the impasse and restart the process. Attempts by either side to resolve that drawn-out conflict unilaterally could actually foment more anger and violence. There was no substitute for the two parties sitting down and working out with each other the details of an agreement that both peoples could live with.

20. The performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict (S/2003/529, annex) had been accepted by both parties. It enjoyed broad support from the international community. Based on Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), it remained the most practical way of achieving the aspirations of both sides. In its resolution 1515 (2003), the Security Council had further bolstered support for the road map. The objective of the resolution was clear — two States, Israel and Palestine, living side by side in peace and security.

21. He called on both parties to take immediate and specific steps to implement the plan without preconditions. He urged the Palestinian Authority to take resolute action to halt terror attacks by militant groups against Israelis. Meanwhile, he urged the Israeli Government to halt further settlement expansion and the construction of the barrier. Israeli Prime Minister Sharon's announcement of a plan to evacuate the Gaza Strip settlements was encouraging. He looked forward to seeing a timetable for that. An evacuation of Gaza Strip settlements should be seen as part of a broader process, an interim step that could revitalize stalled peace efforts, consistent with the road map.

22. For its part, the international community should assert itself to help the two sides out of the present deadlock. For their part, representatives of the Quartet must try harder to bring the parties back to the negotiating table.

23. The Ad Hoc Liaison Committee had met in Rome the previous December to secure financial assistance for the Palestinian people, who continued to endure a devastating economic and humanitarian crisis. The Special Coordinator and the Office for the Coordination of Humanitarian Affairs (OCHA) had continued their work, as had other United Nations

agencies including the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the World Food Programme (WFP), the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF) — some of them with limited resources, and all under extremely difficult conditions. International help was currently particularly crucial. The United Nations would continue its work, but it needed the international community to give generously.

24. The Committee had an important role to play in efforts to reach everyone's common goals. He thanked its members for their continued commitment to peace in the Middle East and wished them success in carrying out their mandate.

#### Statement by the Chairman

25. The Chairman thanked the members of the Committee for the trust they had placed in him as the most recent in a succession of Senegalese chairmen. Senegal, along with the members and observers of the Committee, the staff of the Division for Palestinian Rights and the Secretary-General, would work towards a negotiated, fair and lasting settlement of the Israeli-Palestinian conflict.

26. There were many obstacles to peace, but peace was indeed possible between Arabs and Jews, who were united by their history, by geography and by their monotheistic beliefs. The Committee would continue to raise international awareness to try to end the escalation of violence, the thinking that led to revenge by suicide and the policy of building settlements, to create a positive climate for the resumption of negotiations between the Palestinian Authority and the Government of Israel.

27. The members of the Quartet — the European Union, the Russian Federation, the United Nations and the United States of America — must continue to play an active role and use their influence with Israel to ensure that it respected its obligations, particularly obligations stemming from the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

28. The Committee must find an effective way to monitor implementation of the road map and protect Palestinians, whose society was in crisis. It would support the Secretary-General's wise proposal on the deployment of an international buffer force. The help

of the Quartet was needed to make progress towards a cessation of hostilities, a resumption of negotiations and fulfilment of the aim of the road map — two States, Israel and Palestine, coexisting and cooperating in a climate of security and mutual respect and peace.

29. The main cause of the conflict between Israelis and Palestinians was Israel's occupation of Palestinian land. The way to achieve a comprehensive, fair and lasting peace in the Middle East was to implement immediately the road map, Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), the principle of land for peace and the initiative of Crown Prince Abdullah of Saudi Arabia, which the League of Arab States had endorsed at its summit in Beirut.

30. The Committee would support those initiatives to ensure that Israel withdrew from Palestinian territory occupied since 1967 and that the inalienable rights of the Palestinian people to self-determination and an independent State were translated into action. To promote those rights, it would submit proposals where appropriate to the General Assembly and Security Council. It called for the confinement of the Palestinian Authority's elected president, Yasser Arafat, to be ended. Pending the advisory opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory it would continue to speak out against Israel's annexation of Palestinian land.

31. The Committee had relied on the generosity and commitment of civil society organizations and non-governmental organizations, which were active in defending the rights of the Palestinian people and in mobilizing international public opinion. It must encourage such organizations and forge closer links with them.

#### **Statement by the Permanent Observer of Palestine**

32. **Mr. Al-Kidwa** (Observer for Palestine) vigorously condemned the bombings in Madrid. The Secretary-General's presence at the current meeting of the Committee reaffirmed the determination of the United Nations to bring an end to the tragedy of the Israeli-Palestinian conflict and to promote peace in the Middle East region. The situation in the Occupied Palestinian Territory, including East Jerusalem, had continued to deteriorate.

33. In the past year, Israel had continued to commit war crimes and State terrorism and to systematically violate the human rights of the Palestinian people. The Israeli occupying forces had used all kinds of heavy weaponry in their military campaign and had continued to use excessive and indiscriminate force against the Palestinian civilian population. Since September 2000, the occupying forces had killed 2,800 Palestinians, including women and children, many by extrajudicial execution, and their actions had also resulted in the injury of more than 40,000 Palestinians, at least one third of whom were children, with many of them now permanently disabled or disfigured. Thousands of homes had been destroyed or damaged and widespread destruction had been caused to roads, water, sanitation and electricity networks. In addition to the destruction of thousands of acres of agricultural land and the uprooting of hundreds of thousands of trees, the occupying forces had continued to confiscate more Palestinian land for illegal settlement activities, which had persisted unabated.

34. The occupying forces had also continued to carry out other forms of collective punishment against the Palestinian people. Currently, 7,000 Palestinians, including women and children, were still being arbitrarily held, and the suffocating military closures, curfews and hundreds of checkpoints had a severe impact on the socio-economic situation of the Palestinian people, whose humanitarian hardships continued to increase.

35. The expansionist conquest wall that was now being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, had exacerbated the already grave situation. The wall was not about security; it was about the acquisition of territory by force and the de facto annexation of land by the occupying Power. Indeed, the wall was being constructed almost entirely in the Occupied Palestinian Territory, and there was a direct correlation between the route of the wall and the illegal Israeli settlements in the Occupied Palestinian Territory and water resources in the area. There was also a definite correlation between the route of the wall and Israel's longstanding illegal policies and practices regarding Occupied East Jerusalem, including its illegal annexation of the city.

36. The wall was not just a complex physical structure; it was a whole regime involving the confiscation of Palestinian land and the destruction of

property and natural resources. The area between the wall and the Green Line had been declared a "closed zone" by the occupying Power, which required the thousands of Palestinian inhabitants of the area, now imprisoned between the wall and the Green Line, to apply for permission to remain in their own homes or to work their land. If completed, the wall would leave the Palestinian people with only half of the West Bank within isolated, non-contiguous walled enclaves. It completely undermined the right of the Palestinian people to self-determination, as it would prevent the emergence of a viable and independent State of Palestine. Israel was constructing the wall in grave violation of international law, including international humanitarian law, and the resolutions of the United Nations.

37. The advisory opinion proceedings of the International Court of Justice represented an important and historical juncture in the United Nations efforts to address the different aspects of the question of Palestine. The exercise was important not only for Palestinians but also for the future of the Middle East as a whole. The successful outcome of the proceedings would be important for the integrity of international law and the future of the international system. It was to be hoped that the Court would render an advisory opinion versed in international law that would contribute to the solution of the serious and urgent problem of the wall, thus helping to salvage the prospects for peace between the Israeli and Palestinian peoples. The international community's responsibility, including the Assembly's, towards that critical issue could not be underestimated.

38. The current attempts by the Israeli Government to formally depart from the road map and the agreed basis of the peace process and to try to impose a unilateral settlement were dangerous. In his view, the way forward remained the implementation of the road map and not the taking of unilateral steps. If, however, the Israeli side decided to withdraw from any part of the Occupied Palestinian Territory, Palestine would not object. The Palestinian Authority would, moreover, assume its responsibilities but would have no bilateral obligations in such a case. A reasonable possibility was that the Authority would call for an international presence in an area like the Gaza Strip, from which a withdrawal might take place.

39. He stressed the Palestinian Authority's commitment to the peace process and he expressed the

hope that the Quartet would make efforts to revive the peace process and the road map. The alternatives were bleak and perilous. Efforts must be undertaken to compel Israel to dismantle the wall, bring an end to the cycle of violence on the ground and bring both parties to the negotiating table to pursue in good faith the implementation of the road map towards its goal of a two-State solution of Israel and Palestine living side by side within secure and recognized boundaries.

#### **Draft programme of work of the Committee** (A/AC.183/2004/CRP.1)

40. **The Chairman**, introducing the draft programme of work of the Committee for 2004 (A/AC.183/2004/CRP.1), said that it reflected the ongoing concerns and objectives of the Committee. In preparing the draft programme of work, the Bureau of the Committee had been guided by the need to make it more responsive to developments in the peace process. The Committee would continue to review the proposed programme in that light and would make adjustments as necessary.

41. **Mr. Kittikhoun** (Lao People's Democratic Republic) said that his Government fully endorsed the draft programme of work, particularly its objective of closer cooperation with civil society. With respect to paragraph 15 of the draft programme (A/AC.183/2004/CRP.1), there was a need to involve the entire Quartet in the Bureau's ongoing consultations with Governments and intergovernmental organizations interested in its programme of work. All members of the Quartet should assist the Committee to accomplish its mandate and resolve the painful situation in the Middle East. Lastly, he expressed assurances of his delegation's sincere cooperation with and support for the work of the Committee.

42. **The Chairman** said that involving all concerned parties in the work of the Committee was one of its essential objectives. Although there were those who wished to diminish the influence of the Committee, nothing would deter it from pursuing the implementation of its clearly defined mandate.

43. **Mr. Maso** (South Africa) confirmed that his Government was pleased to accept the offer to host the African meeting on the question of Palestine.

44. **The Chairman** thanked the Government of South Africa for its gesture of support for the work of the Committee.

45. **Mr. Sow** (Guinea), expressed his Government's full support for the programme of work. He noted, in particular, the priority issues in the programme for 2004, including raising the effectiveness of the Division for Palestinian Rights; involving civil society more deeply in the work of the Committee; and disseminating information about the Palestinian question through public awareness campaigns and publications.

46. **Mr. Rastam** (Malaysia) said that his Government was in complete solidarity with the Palestinian cause and fully supported the protection of the inalienable rights of the Palestinian people. That position had been made clear during the oral presentation by the Malaysian Minister for Foreign Affairs before the International Court of Justice in The Hague on an advisory opinion on the legal consequences of the construction of an Israeli wall in the occupied Palestinian territory.

47. He commended the Bureau on the draft programme of work and concurred with the representative of the Lao People's Democratic Republic that it should closely consult with all members of the Quartet. As chairman of the Non-Aligned Movement Committee on Palestine, his Government would make every effort to consult with the Bureau and the Committee.

48. **Mr. Al-Kidwa** (Observer for Palestine) expressed his appreciation for the draft programme of work. The proposed international meeting in Geneva on the separation wall would help to mobilize public opinion against the measure and bring it to an end. His delegation would be issuing a background paper for the advisory opinion hearings in the Israeli wall case at the International Court of Justice.

49. **The Chairman** said that he would welcome further information from the Permanent Observer of Palestine to help the Committee to implement its mandate.

50. *The draft programme of work of the Committee for 2004 (A/AC.183/2004/CRP.1) was adopted.*

#### **Report by the Rapporteur on the United Nations Meeting for Asia and the Pacific on the Question of Palestine and the Public Forum in Support of Middle East Peace**

51. **Mr. Camilleri** (Malta) Rapporteur, said that the Committee was very grateful to the Government of the People's Republic of China for hosting the United Nations Meeting for Asia and the Pacific on the Question of Palestine, on 16 and 17 December 2003, and the Public Forum in Support of Middle East Peace, on 18 December 2003, at a time of growing international concern about the volatile situation on the ground and the deadlocked political dialogue between the parties. At the meeting in Beijing, which had been aimed at mobilizing international support for a peaceful solution to the question of Palestine, the participants had reviewed the situation in the Occupied Palestinian Territory, including Jerusalem, and discussed the road map, which remained the principal mechanism for moving towards a peaceful settlement of the Israeli-Palestinian conflict. They had also welcomed such civil society initiatives as the Geneva accord and the People's Voice, which stimulated debate between Palestinians and Israelis on the issues that must be resolved to end the conflict.

52. At the meeting, which had been attended by representatives from 73 Governments, Palestine, 3 intergovernmental organizations, 7 United Nations bodies and 12 civic organizations, as well as special guests of the host country, journalists and scholars, the participants had debated the following themes: the situation in the Occupied Palestinian Territory, including East Jerusalem; strengthening international support for a peaceful solution of the question of Palestine; and support in Asia for the inalienable rights of the Palestinian people.

53. The Chinese Deputy Minister for Foreign Affairs, Dai Bingguo, had addressed the opening meeting; Kim Hak-Su, Executive Secretary of the United Nations Economic and Social Commission for Asia and the Pacific, had delivered the Secretary-General's message; Palestine had been represented by Ghassan Khatib, Minister of Labour of the Palestinian Authority; and Bruno Rodríguez Parilla of Cuba, head of the Committee delegation, had made a statement. The delegation also included Ravan Farhâdi (Afghanistan), Vice-Chairman, Victor Camilleri (Malta) and Rastam Mohd Isa (Malaysia). Experts from Asia, Australia, North America and the Middle East, including

Palestinians and Israelis, made statements at the meeting and also during the public forum, where they were joined by scholars from Beijing University.

54. The participants had adopted a final document, in which they had expressed grave concern about the deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem. They had welcomed the appointment of a new Palestinian Government as well as Security Council resolution 1515 (2003), in which the Council had endorsed the road map and expressed the hope that it would provide the much-needed impetus to the stalled political process. They had agreed that the continuing occupation by Israel of the Palestinian territory, including East Jerusalem, remained the core of the Israeli-Palestinian conflict and threatened the security and stability of the entire region.

55. They had also voiced serious concern over the suffering and dispossession of the Palestinian people caused by the occupation and condemned the separation barrier, which Israel had been building with utter disregard for Palestinian interests and rights and in violation of the Fourth Geneva Convention. The General Assembly's request that the International Court of Justice provide an advisory opinion on the legal consequences of the construction of an Israeli wall in the occupied Palestinian territory had been considered an important step towards resolution of the Israeli-Palestinian conflict.

56. The Public Forum in Support of Middle East Peace, which had included most of the participants in the Beijing meeting, had involved a frank and useful discussion on issues such as public perceptions of the Israeli-Palestinian conflict, the impact and responsibility of academic institutions and the role of civil society in raising public awareness.

57. In accordance with established practice, the report of the United Nations Meeting for Asia and the Pacific on the Question of Palestine had been issued as a publication of the Division for Palestinian Rights and posted on the United Nations Information System on the Question of Palestine (UNISPAL) and NGO network web sites maintained by the NGO Network of the Division for Palestinian Rights (<http://www.un.org/depts/dpa/ngo>).

*The meeting rose at 12.20 p.m.*



## General Assembly

Distr.: General  
11 June 2004

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## Committee on the Exercise of the Inalienable Rights of the Palestinian People

### Summary record of the 278th meeting

Held at Headquarters, New York, on Tuesday, 6 April 2004, at 10.30 a.m.

Chairman: Mr. Badji ..... (Senegal)

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United Nations International Meeting on the Impact of the Construction of the Wall  
in the Occupied Palestinian Territory, including in and around East Jerusalem,  
Geneva, 15-16 April 2004

#### Accreditation of non-governmental organizations to the Committee

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*The meeting was called to order at 10.50 a.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*
2. **The Chairman** informed the Committee that, since its previous meeting, in his capacity as Chairman of the Committee, he had addressed the Security Council meeting of 23 March 2004 held to consider the agenda item entitled "The situation in the Middle East, including the Palestinian question", following the killing of the spiritual leader of Hamas, Sheik Ahmed Yassin. On 25 March 2004, the representative of Algeria had introduced a draft resolution by which the Council would have condemned that extrajudicial execution committed by Israel and would have called for a complete cessation of extrajudicial executions. The resolution also would have condemned all terrorist acts against civilians, as well as all acts of violence and destruction. The draft resolution had received 11 votes in favour with 3 abstentions, but had not been adopted owing to the negative vote of a permanent member of the Security Council.

**United Nations International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, Geneva, 15 to 16 April 2004**

3. **The Chairman** drew the attention of Committee members to the provisional programme of the International Meeting, which had been distributed in the meeting room by the Secretariat as working paper No. 1, in English only. He said preparations for the meeting were going well; a number of Member States had confirmed their participation, and he urged all Member States and observers of the Committee to attend. The Permanent Observer of Palestine had indicated that the Prime Minister of the Palestinian Authority, Mr. Ahmed Qurei, might address the opening session of the meeting.
4. If he heard no objection, he would take it that the Committee wished to approve the provisional programme for the meeting as contained in working paper No. 1.
5. *It was so decided.*
6. **The Chairman** said that the Committee's delegation to the meeting in Geneva would be composed of the Ambassadors of Afghanistan and

Cuba, both Vice-Chairmen of the Committee; the Ambassador of Malta, Rapporteur of the Committee; the Permanent Observer of Palestine and himself.

**Accreditation of non-governmental organizations to the Committee**

7. **The Chairman** drew the attention of Committee members to working paper No. 2, which had been distributed in the committee room by the Secretariat, in English only. It contained applications from 12 non-governmental organizations that wished to be accredited to the Committee. The Bureau of the Committee, with the assistance of the Division for Palestinian Rights, had reviewed the applications and found that the organizations concerned met the established criteria for accreditation to the Committee. The Bureau therefore recommended that they should be accredited. He said he took it that the Committee wished to approve the applications before it and accredit the organizations concerned.

8. *It was so decided.*

*The meeting rose at 11 a.m.*



## General Assembly

Distr.: General  
4 August 2004

Original: English

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### Committee on the Exercise of the Inalienable Rights of the Palestinian People

#### Summary record of the 279th meeting

Held at Headquarters, New York, on Wednesday, 9 June 2004, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

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Adoption of the agenda

Developments in the Middle East peace process and the situation in the Occupied  
Palestinian Territory, including Jerusalem

Report of the Chairman on the United Nations International Meeting on the Impact  
of the Construction of the Wall in the Occupied Palestinian Territory, including in  
and around East Jerusalem, 15 and 16 April 2004, United Nations Office at Geneva

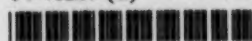
United Nations African Meeting in Support of the Inalienable Rights of the  
Palestinian People, 29 and 30 June, and the United Nations Forum of Civil Society  
in Support of Middle East Peace, 1 July 2004, Cape Town

Accreditation of civil society organizations to the Committee

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Records Editing Section, room DC2-750, 2 United Nations Plaza.

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corrigendum.



*The meeting was called to order at 3.15 p.m.*

#### **Adoption of the agenda**

1. *The agenda was adopted.*
2. **The Chairman** informed the Committee of the activities that had taken place since its last meeting on 6 April. The Security Council had met twice to consider the situation in the Middle East, including the Palestinian question. At the Council meeting of 19 April, held in response to the killing of the Hamas leader Abdel Aziz Al-Rantissi, he had spoken in his capacity as Chairman of the Committee. He drew attention to Security Council resolution 1544 (2004), the statement issued by the Quartet at the meeting of the Quartet Principals hosted by the Secretary-General on 4 May (S/2004/421) and General Assembly resolution 58/292. The Bureau had had a productive meeting with the delegation of the European Union on 4 June to discuss aspects of the work of the Committee and issues of common interest and would continue to consult with the European Union Presidency.
3. Lastly, he had received a letter dated 28 April 2004 from the Permanent Representative of Hungary to the United Nations, Mr. László Molnár, informing the Committee about the decision of the Hungarian Government to withdraw from membership as of 1 May 2004.
4. In the absence of any comments or observations, he took it that the Committee wished to take note of that information.
5. *It was so decided.*

#### **Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including Jerusalem**

6. **Mr. Al-Kidwa** (Observer for Palestine) said that, unfortunately, the Palestinian people continued to suffer from the Israeli occupation and policies and practices. Overall, the political situation was volatile, and no serious resumption of the Middle East peace process was in sight.
7. The international community had taken a clear position on the question of Palestine by adopting Security Council resolution 1544 (2004) and General Assembly resolution 58/292. There had also been several important meetings on the question, including

those of the Organization of the Islamic Conference (OIC) and the Non-Aligned Movement, both of which had taken place in Malaysia, and the Arab Summit in Tunisia. Similar positions had emerged at those meetings, reflecting broad consensus among members of the international community on a range of issues regarding the question of Palestine, which were well expressed in the communiqué from the ministerial meeting of the Non-Aligned Movement Committee on Palestine.

8. The Ministers had reiterated their deep regret that the Road Map had yet to be implemented and that the situation had been gravely aggravated by the Israeli Prime Minister's unilateral disengagement plan and also the Israeli-United States exchange of letters. Several passages within the letters violated international law, relevant Security Council resolutions and the inalienable rights of the Palestinian people and departed completely from the Road Map. Accordingly, the plan and the letters were unacceptable and could not alter the terms of reference of the peace process.

9. The communiqué had noted the Quartet's commitment to the Road Map. Any Israeli withdrawal from the Gaza Strip should constitute a complete end to the occupation of the Gaza Strip. Settlement activities and the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, should also cease altogether. There was a need for compliance with the timeline set forth in the Road Map, in particular, with respect to the establishment of the State of Palestine by 2005. It was crucial for the international community to ensure that any withdrawal from the Gaza Strip should be part of the Road Map.

10. Recent developments on the Israeli side, however, had proved that the disengagement plan was aimed at undermining the Road Map and forestalling withdrawal from the West Bank. The Israeli Government had also taken a secret decision to postpone withdrawal even from settlements on the Gaza Strip until March 2005, thereby flouting the timelines established by the Road Map. It had also made exorbitant financial claims with respect to the West Bank, should any discussion of withdrawal ensue.

11. The situation on the ground was bleak. But if the international community maintained its stance on the question of Palestine, including the implementation of the relevant Security Council resolutions and the

possibility of a comprehensive resolution, significant change could come in a matter of months. There was a need for unity, support and solidarity until that moment came.

12. The OIC had raised with the Secretary-General the possibility of holding a special United Nations meeting on Palestine, with other international and regional groups, during the fifty-ninth General Assembly session to mobilize the international community in support of the two State solution and Israel's withdrawal to its 1967 borders. The meeting of the United Nations Committee on the Inalienable Rights of the Palestinian People in Cape Town, South Africa in June 2004 would help to pave the way towards a successful international meeting in New York.

13. Lastly, there would be a need for serious and comprehensive follow-up throughout the United Nations system to the important forthcoming advisory opinion of the International Court of Justice.

14. **Mr. Rastam** (Malaysia) said that he wished to provide the Committee with additional information on the proposal put forward by the Minister for Foreign Affairs of Senegal at the Ministerial Meeting of the Committee on Palestine of the Non-Aligned Movement, held at Putrajaya on 13 May 2004.

15. The idea behind the convening of a special meeting on Palestine was to bring together international and regional groups and organizations in order to discuss the Israeli-Palestinian conflict and to reaffirm the basic parameters for resolving it, including respect for the relevant provisions of international law, the two State solution based on the pre-1967 borders and the right of all States and peoples in the region to live in peace and security. The meeting would also provide an opportunity for the international community to reach a consensus on how best to proceed in order to secure a peaceful settlement to the conflict.

16. The Non-Aligned Movement intended to convene the meeting at United Nations Headquarters during the general debate at the fifty-ninth session of the General Assembly. Advance consultations should be organized regarding the final document to be adopted by the meeting, on the understanding that consensus would be essential. Technical consultations, involving the Secretary-General of the United Nations, the five permanent members of the Security Council and the

ambassadors of the concerned States, would also be held in New York in advance of the meeting.

17. International and regional groups and organizations could be represented at the meeting by members of their secretariats or by representatives of the countries hosting their headquarters. All United Nations Member States and observers would be invited, but speaking privileges would be reserved for the representatives of the groups and organizations concerned and the parties to the conflict (Israel and Palestine). The Secretary-General of the United Nations and the five permanent members of the Security Council could also be invited to make statements.

18. The Minister for Foreign Affairs of Malaysia had undertaken to follow up on the matter and was in the process of sending out letters to the groups and organizations concerned. He would work closely with his relevant counterparts and with the Committee.

**Report of the Chairman on the United Nations International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, 15 and 16 April 2004, United Nations Office at Geneva**

19. **The Chairman** said that the United Nations International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, had been held during the sixtieth session of the Commission on Human Rights at the United Nations Office at Geneva on 15 and 16 April 2004. It had been attended by representatives of 67 Member State Governments, Palestine, five intergovernmental organizations, the International Committee of the Red Cross, the Inter-Parliamentary Union, 12 United Nations bodies and representatives of 29 civil society organizations. The Committee had been represented by a delegation comprising the Chairman, the two Vice-Chairmen and the Rapporteur.

20. Three plenary themes had been discussed during the Meeting, namely, how the construction of the wall devastated the lives and future of the Palestinian population, how it violated international law and how it rendered the two State solution physically impossible. Participants had focused on the impact of the construction on the ground as well as on international

efforts to stop it. They had also assessed its effects on the Palestinian population and discussed the Palestinian and Israeli response.

21. The Meeting had been very successful. It had generated a lively and informative discussion and fulfilled its objective. At the closing session, the participants had adopted a final document, in which they had expressed their dismay at the scope of the project, its devastating immediate and longer-term effects on the Palestinian population and the destructive consequences for the political process. They had also stressed the direct and dangerous challenge posed by the wall to the internationally recognized Armistice Demarcation Line, the violation of the letter and the spirit of the Road Map and the creation of new facts on the ground that predetermined the outcome of any future permanent status negotiations. The participants had expressed their concern over the current and potential humanitarian and economic consequences of the construction of the wall and noted the protracted and complete lack of dialogue between the parties. They urged the international community, particularly the Quartet, to remain actively involved in the situation and, in that connection, welcomed the action taken by the General Assembly, in particular its request for an advisory opinion from the International Court of Justice on the legal consequences arising from the construction of the wall.

22. He took it that the Committee wished to take note of the report.

23. *It was so decided.*

**United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People, 29 and 30 June, and the United Nations Forum of Civil Society in Support of Middle East Peace, 1 July 2004, Cape Town**

24. The Chairman drew the Committee's attention to the document entitled "Working paper No. 3", which contained the provisional programmes for the United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People and the United Nations Forum of Civil Society in Support of Middle East Peace, to be held in Cape Town on 29 and 30 June and 1 July 2004, respectively. Preparations for both meetings were progressing well, and the Bureau had been informed that the South African President, Thabo

Mbeki, intended to open the meetings. The Committee delegation would consist of the Chairman, Mr. Camilleri (Malta), Rapporteur of the Committee, Mr. Kumalo (South Africa), Mr. Andjaba (Namibia), Mr. Rastam (Malaysia), Mr. Al-Kidwa (Palestine). A number of Member States had already confirmed their participation and it was hoped that all Committee members and observers would be represented.

25. He took it that the Committee wished to approve the provisional programmes for the meetings, as contained in the document entitled "Working paper No. 3".

26. *It was so decided.*

**Accreditation of civil society organizations to the Committee**

27. The Chairman drew the Committee's attention to the document entitled "Working paper No. 4", which contained applications from non-governmental organizations for accreditation to the Committee. The Bureau, assisted by the Division for Palestinian Rights, had reviewed the applications and concluded that the organizations concerned fulfilled the established criteria for accreditation. He therefore took it that the Committee wished to approve the applications, as suggested by the Bureau.

28. *It was so decided.*

*The meeting rose at 4.15 p.m.*



## General Assembly

Distr.: General  
3 November 2004

Original: English

### Committee on the Exercise of the Inalienable Rights of the Palestinian People

#### Summary record of the 280th meeting

Held at Headquarters, New York, on Friday, 6 August 2004, at 10.30 a.m.

**Chairman:** Mr. Badji ..... (Senegal)

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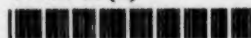
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04-45212 (E)



*The meeting was called to order at 10.40 a.m.*

#### **Adoption of the agenda**

1. *The agenda was adopted.*

#### **Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem**

2. **The Chairman**, informing the Committee about developments since its previous meeting, said that on 9 July 2004, the International Court of Justice had issued an advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem. The Court had declared that the wall and its associated regime were in breach of international human rights and humanitarian law, as well as the right to self-determination. It had stipulated that Israel was under an obligation to cease construction of the wall, dismantle the structure and make reparation for all damage caused by the project.
3. On 16 July 2004, the General Assembly had resumed its tenth emergency special session to consider the advisory opinion, and on 19 July, it had adopted resolution ES-10/15, in which it demanded that Israel should comply with its legal obligations as identified in the advisory opinion and requested the Secretary-General to establish a register of damage caused to all natural or legal persons concerned. It further called upon all States parties to the fourth Geneva Convention to ensure compliance by Israel, and invited Switzerland, in its capacity as the depositary of the Geneva Conventions, to conduct consultations and to report to the General Assembly on the possibility of resuming the Conference of High Contracting Parties to the Fourth Geneva Convention.
4. **Mr. Al-Kidwa** (Observer for Palestine) said that the resolution adopted at the resumed tenth emergency special session of the General Assembly could be viewed as the most important resolution on the question of Palestine since the adoption of the Plan of partition in General Assembly resolution 181 (II). The international community was still awaiting compliance with resolution ES-10/15, but in a development that was less than encouraging, Israel had rejected the advisory opinion and had declared its intention to continue building the wall.
5. There was no choice but to consider further measures at the level of the United Nations system, the Member States and the High Contracting Parties to the Geneva Conventions. In the United Nations, the next step would be to bring a draft resolution to the Security Council, with the option of returning to the General Assembly. The Secretariat and the Secretary-General should expedite the actions requested in resolution ES-10/15, and should ensure that all substantive documents were congruent with the advisory opinion. Member States should take action at the international, regional and national levels against products and companies involved in the situation. He also hoped that the Swiss Government, as depositary of the Fourth Geneva Convention, would expedite consultations among the High Contracting Parties aimed at ensuring respect for their obligations under article 1 of that Convention. After the forthcoming ministerial meeting of the Movement of Non-Aligned Countries in Durban, that agenda would be translated into specific suggestions for action.
6. Meanwhile, the situation on the ground had worsened although, despite daily violations of international law, it had received little coverage in the international media. Two notable examples were the continued killings and destruction of homes in the Gaza Strip, and the closing of the border crossing between Gaza and Egypt, effectively stranding 2,000 people, most of whom were forced to remain in the border terminal building itself.
7. Between the issuance of the advisory opinion and the adoption of resolution ES-10/15, the Special Representative of the Secretary-General had presented a briefing to the Security Council, which in the view of his delegation, lacked a legal context and attempted to equate the ruling of the International Court of Justice with a decision of the Israeli courts; it was therefore unacceptable. The mandate of the United Nations was to end the occupation of Palestine and give its people self-determination, and his delegation accepted that it should be involved as a member of the Quartet. He intended to discuss the situation with the Secretary-General in order to clarify the positions of all parties. The position of the United States of America on the matter was not new; unfortunately it was not acting as a mediator but was making itself a party to the conflict.
8. As for the internal situation in the Palestinian Territory, he challenged the notion that excellent governance was possible under Israeli occupation and

an active campaign against the Palestinian leadership. Although that leadership had made mistakes, it was confronting a programme of colonization bent on the destruction of the Palestinian people. He called on the international community to intensify its solidarity with the Palestinian people, at a time when, despite the difficult circumstances, there were many possibilities for the future.

**Report by the Chairman on the United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People, 29-30 June, and the United Nations Forum of Civil Society in Support of Middle East Peace, 1 July 2004, Cape Town**

9. The Chairman said that the United Nations African Meeting in support of the Inalienable Rights of the Palestinian People had been convened with a view to mobilizing the support of the African countries for the inalienable rights of the Palestinian people. During the course of the meeting, the participants had assessed the situation in the Occupied Palestinian Territory, including East Jerusalem, considered the consequences of the construction of the separation wall and expressed their support for the request for an advisory opinion from the International Court of Justice. Speakers had also encouraged all members of the Quartet to play a more active role in the implementation of the road map and welcomed recent civil society initiatives, such as the Geneva Initiative and the People's Voice, that promoted dialogue between Israelis and Palestinians.

10. The Meeting, which had been attended by representatives of 56 Governments, Palestine, the African Union, four United Nations agencies and 36 civil society organizations, had been a great success. The President of the Republic of South Africa, Thabo Mbeki, had delivered the opening address, in which he had called on participants to develop a concrete programme of action in order to secure the support of all African States for a strong resumption of the peace process. President Arafat had made a statement by videolink, and a message from the Secretary-General of the United Nations had been read out by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. During the plenary sessions, 16 experts from all over the world, including Palestinians and Israelis, had made statements. At the closing session, participants had adopted a Final Document, in which they

condemned Israel's wilful and systematic violations of international humanitarian and human rights law and its ongoing efforts to perpetuate the occupation, in particular the establishment of settlements and the construction of the separation wall, and stressed that the Israeli occupation of the Palestinian Territory remained the core of the conflict.

11. The participants had welcomed the decision to refer the issue to the International Court of Justice and stressed that the advisory opinion should be respected by all law-abiding States. They had taken the view that the road map continued to represent the most viable initiative for a peaceful settlement of the conflict and called upon the Quartet to expedite the implementation of the action plan. They had also reaffirmed the important role of the Security Council and, in that connection, stressed the significance of a decision to mandate an international presence or monitoring force in the Occupied Palestinian Territory, including East Jerusalem, which could be incorporated into a comprehensive Security Council resolution on the matter. Lastly, the Meeting had taken note of the forthcoming African Union Summit and expressed the hope that action would be taken to promote the inalienable rights of the Palestinian people and a peaceful solution to the conflict.

12. The United Nations Forum of Civil Society in support of Middle East Peace had taken place after the African Meeting, and had been attended by members of non-governmental organizations, civil society institutions and representatives of Governments and intergovernmental organizations. A frank and useful debate had taken place on issues such as the public perception of the Israeli-Palestinian conflict, the impact and responsibility of universities and the role of civil society in awareness-raising. The participants had adopted a final declaration, which called on the United Nations to take steps to ensure that Israel implemented all the relevant resolutions of the Organization and respected the provisions of international law. They had also undertaken to hold a conference of civil society organizations with a view to launching a mass movement of solidarity with the Palestinian people on the African continent.

13. Mr. Cardy (South Africa) said that the level of participation and the strong media interest in the United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People and the United Nations Forum of Civil Society in Support of

Middle East Peace, hosted by South Africa, were indicative of the importance attached by the international community to the peaceful resolution of the Middle East crisis.

14. At the African Meeting, President Mbeki had stressed the need to maintain international focus on the long-standing Israeli-Palestinian conflict and had called on participants to provide guidance and direction in respect of specific actions to be taken by the African continent. He had also pointed out that expressing support for the Palestinian people's struggle for self-determination was not tantamount to an expression of hostility to Israel and noted that the Palestinians themselves should be responsible for choosing their leader. Other speakers who had personally contributed to successful liberation struggles in Africa had exchanged views and shared experiences with their Palestinian counterparts, and many constructive suggestions had been made regarding how to build an international mass movement of Governments and civil society groups in support of the inalienable rights of the Palestinian people. Palestinian speakers had clearly articulated their hopes for a peaceful future and provided participants with extensive information on the suffering of the Palestinian people under foreign military occupation.

15. He hoped that the momentum from the Cape Town meetings would be carried forward to the fifty-ninth session of the General Assembly and the United Nations International Conference of Civil Society in Support of the Palestinian People, so that the near international consensus on the need to stop and reverse the construction of settlements and the separation wall could be transformed into concrete action to help realize the vision of a two-State solution.

16. **Mr. Diarra** (Mali) asked the Secretariat to circulate the final documents from the Cape Town meetings so that members of the Committee could review the outcomes in more detail.

17. **Mr. Al-Kidwa** (Observer for Palestine) said that he wished to express his gratitude to the people and Government of South Africa. The meetings in Cape Town had been the most successful events organized by the Committee that he had ever attended, and he hoped that the momentum they had generated would be carried forward to the fifty-ninth session of the General Assembly and beyond.

18. **The Chairman** said that he took it that the Committee wished to take note of the report.

19. *It was so decided.*

**Reports by the Chairman on the thirty-first session of the Islamic Conference of Foreign Ministers, 14-16 June 2004, Istanbul, and on the fifth ordinary session of the Executive Council and the third ordinary session of the Assembly of the African Union, 30 June to 3 July 2004, Addis Ababa**

20. **The Chairman** said that, on behalf of the Committee, he had attended the thirty-first session of the Islamic Conference of Foreign Ministers, held in Istanbul, Turkey, on 14-16 June 2004. The question of Palestine had figured prominently on the agenda of the meeting and the concerns expressed by participants had been reflected in a number of resolutions. In addition, both the Final Communiqué and the Istanbul Declaration had, *inter alia*, called upon all parties concerned to give priority attention to the question of Palestine and the Arab-Israeli conflict in general, with the objective of securing full statehood for Palestine alongside Israel within secure and recognized borders.

21. He had also attended the fifth ordinary session of the Executive Council of the African Union and the third ordinary session of the Assembly of the African Union, held from 30 June to 3 July 2004 in Addis Ababa. A comprehensive decision on the question of Palestine had been adopted, emphasizing, *inter alia*, the African Union's condemnation of Israeli violations of human rights and international humanitarian law and its concern at the negative consequences of the construction of the wall. The decision also reaffirmed the need to set up, pursuant to a decision taken at the Maputo Summit in 2003, a Committee of 10 responsible for promoting the Middle East peace process.

22. Both the Organization of the Islamic Conference and the African Union were strong supporters of the Palestinian cause and, therefore, valuable allies of the Committee. The partnership between the Committee and those bodies should be further strengthened.

23. He took it that the Committee wished to take note of the reports.

24. *It was so decided.*

**Status of preparations for the United Nations  
International Conference of Civil Society in Support  
of the Palestinian People, 13-14 September 2004,  
United Nations Headquarters**

25. The Chairman drew the Committee's attention to Working Paper No. 5, which contained the provisional programme for the United Nations International Conference of Civil Society in Support of the Palestinian People, to be held at United Nations Headquarters in New York on 13-14 September 2004. He encouraged all Committee members and observers to take an active part in the event.

26. He took it that the Committee wished to approve the provisional programme for the Conference, as contained in Working Paper No. 5.

27. *It was so decided.*

**Accreditation of civil society organizations with the  
Committee**

28. The Chairman drew the Committee's attention to Working Paper No. 6, which contained an application from a non-governmental organization for accreditation to the Committee. The Bureau, assisted by the Division for Palestinian Rights, had reviewed the application and concluded that the organization concerned fulfilled the established criteria for accreditation. He therefore took it that the Committee wished to approve the application.

29. *It was so decided.*

*The meeting rose at 12.05 p.m.*

**General Assembly**

Distr.: General  
2 November 2004

Original: English

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**Committee on the Exercise of the Inalienable Rights  
of the Palestinian People****Summary record of the 281st meeting**

Held at Headquarters, New York, on Wednesday, 6 October 2004, at 10.30 a.m.

**Chairman:** Mr. Badji ..... (Senegal)

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Palestinian Territory, including East Jerusalem****Report by the Chairman on the United Nations International Conference of Civil  
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of the Movement of Non-Aligned Countries, 19 August 2004, Durban****Consideration of the draft report of the Committee to the General Assembly****Other matters**

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04-53795 (E)



*The meeting was called to order at 10.50 a.m.*

#### **Adoption of the agenda**

1. *The agenda was adopted.*
2. **The Chairman** said that, on 4 October 2004, in response to the massive Israeli action taking place in the northern Gaza Strip, the Security Council had circulated a draft resolution demanding the immediate cessation of all military operations in the area of Northern Gaza and the withdrawal of the Israeli occupying forces from that area. It also called on Israel to ensure the unfettered access and safety of United Nations personnel and all medical and humanitarian aid workers to provide emergency assistance to the civilian population and called for respect for the inviolability of the facilities of the United Nations agencies in the field, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Unfortunately, the draft resolution had not been adopted owing to the negative vote of a permanent member of the Council.
3. He extended a warm welcome to the three Palestinian trainees who had commenced the annual training programme at the Division for Palestinian Rights. They would have the opportunity to familiarize themselves with various aspects of the work of the Secretariat and other organs and conduct research on specific topics.

#### **Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem**

4. **Mr. Al-Kidwa** (Observer for Palestine) said that the situation on the ground in the Occupied Palestinian Territory had continued to deteriorate. The occupying Power continued to commit war crimes and acts of State terrorism against the Palestinian people: during the most recent incursion into the Gaza Strip, 90 people had been killed and over 400 had been injured. On that occasion, the Israeli armed forces, clearly intent on causing maximum destruction, had demolished homes, infrastructure and schools, leaving hundreds of Palestinians homeless and tens of thousands without water and electricity.
5. In response to the most recent developments, the Group of Arab States had submitted a draft resolution to the Security Council, demanding the cessation of all

military operations in the Occupied Palestinian Territory and the immediate withdrawal of the Israeli occupying forces. Unfortunately, owing to the use of the veto by the representative of the United States of America, the draft resolution had not been adopted. The current United States administration had used the veto seven times against draft resolutions concerning the occupation of the Palestinian Territory, including East Jerusalem. Its actions were clearly designed to prevent the application of international law, and were directly responsible for the failure of the international community to find a solution to the Israeli-Palestinian conflict. Nevertheless, the Palestinian Authority would not consent to exempt the Security Council from its responsibilities in the area of the maintenance of international peace and security. It would continue to monitor the situation on the ground and, if the Israeli attacks continued, would return to the Council with additional draft resolutions.

6. Turning to the political situation, he said that Prime Minister Sharon's disengagement plan and the exchange of letters between the United States and Israel of 14 April 2004 represented a violation of international law and a direct attempt to undermine the Road Map. The Palestinian authority would accept a withdrawal from the Gaza Strip under two conditions: first, given that the West Bank and the Gaza Strip comprised a single territorial unit, all sections of that unit must be granted identical legal status; secondly, Israel must withdraw its troops from the West Bank and halt all settlement activities and the construction of the separation wall. Any withdrawal must be complete and carried out with the full cooperation of the Palestinian side.

7. The central task of the United Nations was to follow up the advisory opinion issued by the International Court of Justice. It must continue to call for respect for the provisions of international law and the cessation of the unlawful Israeli occupation. In that connection, he advocated the adoption of the position of the Non-Aligned Movement, which, at its fourteenth Ministerial Conference, had called on Member States to take steps to prevent any products of the illegal Israeli settlements from entering their markets, to decline entry to Israeli settlers and to impose sanctions against companies and entities involved in the construction of the wall and other illegal activities in the Occupied Palestinian Territory, including East Jerusalem. In addition, as a matter of principle, the

advisory opinion must be referred back to the Security Council, because the International Court of Justice had called on both the General Assembly and the Security Council to consider what further action was required to bring to an end the illegal situation resulting from the construction of the wall.

8. In view of the situation on the ground, the annual resolutions on the question of Palestine should be strengthened and the General Assembly should take a clear stance on the issues of war crimes, colonization and settlement activities and the construction of the wall. The international community must not retreat in the face of Israeli intransigence and there was no room for hypocrisy: Member States that called for a two-State solution yet voted against draft resolutions concerning the self-determination of the Palestinian people had no credibility.

9. Lastly, he supported the Non-Aligned Movement's proposal to convene in 2005 an international meeting of regional and political groups and organizations to discuss the Israeli-Palestinian conflict. Such a meeting would allow for the creation of a broad-based partnership for achieving a peaceful settlement on the basis of the principles of international law, the two-State solution based on the pre-1967 borders and the right of all peoples in the region to live in peace and security free from violence and terrorism. It was to be hoped that the Committee would be able to play a constructive role in that regard.

**Report by the Chairman on the United Nations International Conference of Civil Society in Support of the Palestinian People, 13 and 14 September 2004, United Nations Headquarters, New York**

10. The Chairman said that the United Nations International Conference of Civil Society in Support of the Palestinian People, held under the auspices of the Committee at United Nations Headquarters in New York on 13 and 14 September 2004, had been the main event organized in 2004 for civil society organizations dealing with the question of Palestine. Over 300 participants had attended the Conference, which had been opened by the Under-Secretary-General for Political Affairs, and 23 speakers, including Palestinians and Israelis, had made statements.

11. In view of the recent escalation of violence on the ground and Israel's ongoing settlement activities in the West Bank, including the construction of the separation

wall, the Conference had focused on the advisory opinion issued by the International Court of Justice. It had concluded that the advisory opinion provided to the international community, including civil society organizations, an ideal way to pursue its efforts to secure a peaceful settlement to the conflict. Accordingly, the plan of action adopted by the participants, which could be consulted on the web site of the Division for Palestinian Rights, called on all parties to pressure Israel and their own Governments to move towards the strict enforcement of the advisory opinion and the resolutions of the General Assembly calling for self-determination of the Palestinian people, the cessation of settlement and colonization activities by the occupying Power and the dismantling of the wall.

12. The members of the Conference Steering Committee, the majority of whom represented groups of organizations from their respective countries and regions, would be responsible for ensuring the follow-up of proposed initiatives. In that connection, it had called for the Committee's cooperation in order to facilitate the implementation of the commitments undertaken at the Conference.

**13. The Committee took note of the report.**

**Report by the Chairman on his attendance at the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, 19 August 2004, Durban**

14. The Chairman said that the invitation extended to the Committee to take part in the work of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, which took place in Durban, South Africa on 19 August 2004, was an important political act perpetuating a tradition. The Non-Aligned Movement had always accorded the question of Palestine its due importance; many strategies and actions for a just and sustainable solution to the problems of that country had been developed within that forum. It was therefore a capable ally and a strong source of support.

15. In the final communiqué, the Ministers for Foreign Affairs of the countries of the Non-Aligned Movement delivered a clear and categorical message to Israel and those that supported it in its stubborn refusal to conform to international law. They welcomed the advisory opinion of the International Court of Justice, and endorsed the conclusion that the construction of

the wall and its associated regime were contrary to international law. Welcoming the adoption of resolution ES-10/15 by the Tenth Emergency Special Session of the General Assembly, in which the Assembly, *inter alia*, demanded that Israel comply with its legal obligations as mentioned in the advisory opinion, the Ministers took note of the immediate negative response by Israel and called on the United Nations, in particular the Security Council, to fulfil its responsibilities, and the Secretary-General to establish a register of damages caused by the wall; called upon Member States to undertake measures to prevent any products of the illegal Israeli settlements from entering their markets, to decline entry to Israeli settlers and impose sanctions against companies and entities involved in the construction of the wall; and called on Switzerland to expedite its consultations with regard to reconvening the Conference of High Contracting Parties to the Fourth Geneva Convention.

16. *The Committee took note of the report.*

**Consideration of the draft report of the Committee to the General Assembly (A/AC.183/2004/CRP.2)**

17. **Mr. Camilleri** (Rapporteur) introduced the draft report of the Committee, which covered the work of the Committee since 11 October 2003. The draft report outlined the Committee's objectives and its general perspectives on the events of the past year and reviewed in some detail the situation on the ground. It described action taken by the Committee and by the Division for Palestinian Rights, as well as the Department of Public Information. The last chapter of the report contained the conclusions and recommendations of the Committee.

18. The Chairman said he regretted that the draft report was available only in English. Once adopted, it would be translated into all the official languages. Though the report had been drafted with great care, and should be of great interest to the international community, in view of the unstable situation on the ground, it might need to be updated.

19. **Mr. Al-Kidwa** (Observer for Palestine) proposed that in paragraph 4, the word "led" should be replaced by the words "also contributed", that the word "and" should be added after the word "violence", and that the phrase "and hampering the resumption of a political dialogue" should be deleted.

20. **Mr. Diarra** (Mali) said that in paragraphs 51 and 52, which related to cooperation with intergovernmental organizations, only the European Union (EU) and the International Committee of the Red Cross (ICRC) were mentioned. Noting that other bodies were deeply involved in the work of the Committee, among them in particular the Organization of the Islamic Conference (OIC), the African Union (AU), and the Movement of Non-Aligned Countries, he suggested that similar mechanisms should be created for consultations with them. Their work and that of the Committee could be mutually enriching.

21. **The Chairman** said that despite the absence of any formal mechanisms for consultations with the Non-Aligned Movement, OIC and AU, they and the Committee attended each other's events and discussed the same issues. In that connection, the Non-Aligned Movement had a "group of nine" and OIC had an ad-hoc Committee on Palestine. The draft report mentioned consultations with EU and ICRC specifically because those organizations did not always share the Committee's position; it hoped to use dialogue to draw them more closely into its work.

22. **Mr. Al-Kidwa** (Observer for Palestine) said that he was in favour of adding a reference to ongoing cooperation with the Non-Aligned Movement, OIC and AU to avoid giving the impression that the Committee cooperated only with EU and ICRC. He further suggested that the title of the section be changed to "Cooperation with intergovernmental and other organizations", since ICRC was not in fact an intergovernmental organization, and that it should also refer to cooperation with the Inter-Parliamentary Union (IPU).

23. **Mr. Rastam** (Malaysia), speaking on behalf of the member countries of the Non-Aligned Movement, said that the Movement's cooperation with the Committee was reciprocal: the Chairman had attended Non-Aligned Movement meetings, and the Non-Aligned Movement had been represented at events such as the United Nations International Meeting on the impact of the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem, held in Geneva in April 2004.

24. **The Chairman** said that the practice of cooperation with the Non-Aligned Movement, OIC and AU existed, and deserved to be reflected in the report, to acknowledge those organizations' support for the

rights of the Palestinian people. Cooperation with the Inter-Parliamentary Union (IPU) was already covered in paragraph 56 of the draft report.

25. He took it that the Committee wished to adopt the draft report, with drafting changes.

26. *It was so decided.*

#### Other matters

27. **The Chairman**, recalling that the International Day of Solidarity with the Palestinian People would be commemorated on 29 November 2004, urged members and observers to ensure that their representatives at the event were at least of ambassador rank, as befitted the occasion. The General Assembly would take up agenda item 37 (The situation in the Middle East) on the same day; he urged all representatives to place themselves on the list of speakers.

28. **Mr. Al-Kidwa** (Observer for Palestine) said that his delegation had already tried to follow the advice of the Chairman and place itself on the list of speakers for agenda items 37 (The situation in the Middle East) and 38 (Question of Palestine), but had discovered with surprise that the two items were to be considered together, with a single list of speakers. He believed that the former practice of treating the two items separately, with two lists of speakers, should be restored, as there were sound political and practical reasons for that arrangement. He hoped that the General Committee would raise an objection to the new arrangement.

29. **Mr. Requeijo Gual** (Cuba), said that he supported the appeal to the members of the General Committee to recommend that items 37 and 38 should be kept separate: both were important, and both deserved to be allocated time and resources.

30. On 5 October 2004, his delegation had spoken during the open debate in the Security Council on the Middle East situation, including the Palestinian question. It had warned of the possibility of a paralysing veto of the resolution before the Security Council. It had also warned that the Security Council was in danger of sidestepping matters with serious implications for international peace and security, of involving itself in matters which had no such implications, and of being distracted by matters of strictly secondary importance.

31. The 29 vetoes against draft resolutions regarding the Palestinian cause, seven of them in the previous

four years alone, were deplorable. They had rewarded and condoned mass murder, savage and criminal acts, and Israel's State terrorism against the Palestinian people. During the debate, his delegation had also called for supplies of aircraft, missiles, tanks, armoured personnel carriers and other military equipment used in the mass killing of Palestinians to be halted. No Member State which claimed to be upholding international law, peace and the rights of peoples should continue openly to supply armaments to aid and abet such crimes against humanity. It was impossible to reconcile talk of two States in peaceful coexistence when one side was receiving military supplies and the other was being neglected. Such an attitude was one of double standards and must be condemned by the Committee.

32. The United States of America had made its priorities for the fifty-ninth session of the General Assembly clear: they appeared on its mission's web site, and consisted of three goals. The first was to abolish the Committee. The second was to abolish the Division for Palestinian Rights. The third was to abolish the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. The Committee must resist and condemn those goals, which worked against peace and the inalienable rights of the Palestinian people, as it had a duty to provide a defence against all genocidal and criminal policies.

33. **The Chairman** said that the Committee must do its utmost to contribute to, and influence, the General Assembly debate on Palestine.

*The meeting rose at 12.35 p.m.*



# General Assembly

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## Committee on the Exercise of the Inalienable Rights of the Palestinian People

### Summary record of the 282nd meeting

Held at Headquarters, New York, on Friday, 19 November 2004, at 10.30 a.m.

Chairman: Mr. Badji ..... (Senegal)

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04-61584 (E)



*The meeting was called to order at 10.45 a.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*

**Tribute to the memory of His Excellency Mr. Yasser Arafat, late President of the Palestinian Authority**

2. The Chairman said that the Committee had been deeply saddened by the passing of Yasser Arafat, late Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority. For decades, President Arafat had been a powerful symbol of the Palestinian people's national aspiration, of unity, steadfastness and courage. He had devoted most of his life to the struggle against the Israeli occupation of Palestinian land and the dream of his people to realize their inalienable rights. He had embarked on the journey to achieve what he had called the "peace of the brave", realizing the goal of establishing the State of Palestine, living side by side with Israel — the goal that would also bring peace, security and stability in the region. Sadly, he had not lived to see the culmination of his life's struggle. But by the inspiration of his leadership, the singleness of purpose of his life and the vision he had nurtured for his people, his work would continue. The Palestinian people with the help of the international community would carry on their efforts to achieve their inalienable rights in their own sovereign State, with a brighter tomorrow for future generations.

3. He invited everyone present to rise and observe a minute of silence in memory of the late President Arafat.

4. *The Committee observed a minute of silence.*

5. The Chairman drew attention to a statement on the passing of President Arafat which had been issued by the Bureau of the Committee as a press release on 11 November (GA/PAL/970).

6. Mr. Diarra (Mali) said that his delegation associated itself with the tribute to the memory of President Yasser Arafat. The Committee must pursue its work on behalf of the Palestinian people. His delegation was committed to that cause and would contribute to the work of the Committee in every way possible to help it fulfil its purpose.

7. The Chairman said that in continuing the legacy of President Arafat the Committee must redouble its efforts until such time as the Palestinian people achieved a comprehensive, just and lasting settlement of the question of Palestine. That would be its best tribute to the memory of President Arafat.

8. Summarizing the work of the Committee since the last meeting, on 6 October 2004, he said that on 20 October, the Bureau had held a meeting with the delegation of the Inter-Parliamentary Union (IPU) led by its President, Senator Sergio Pérez from Chile. It had been a most constructive meeting where views had been exchanged on the role and contribution of national parliaments and inter-parliamentary organizations in shaping public opinion and formulating policy guidelines. Mr. Pérez had pledged the continued commitment of IPU to address the question of Palestine, including its active participation at regional meetings of the Committee. He had informed the Bureau that IPU had obtained observer status in the General Assembly and had expressed confidence that that would enhance the contribution of the Union to the political discussion at the United Nations.

9. On 11 November, the General Assembly had held a special meeting of tribute to the late President Yasser Arafat. Statements had been made by the Secretary-General, representatives of all the regional groups, representatives from the Movement of Non-Aligned Countries and the Organization of the Islamic Conference. He had made a statement on behalf of the Committee.

10. On 15 November, the United Nations Special Coordinator for the Middle East Peace Process, Terje Roed-Larsen, had briefed the Security Council on the situation in the Middle East, including the Palestinian question, announcing that it would be his last briefing in his capacity as Special Coordinator. Mr. Larsen's statement was available in a United Nations press release (SC/8244).

11. He also informed members that the Committee report had been issued.

**Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem**

12. Ms. Barghouti (Observer for Palestine) said that the present meeting was taking place at a time of

sorrow and transition as the Palestinian people and their leadership mourned the death of President Yasser Arafat. President Arafat had been recognized worldwide as a symbol of the just cause of the Palestinian people and their dream for peace and freedom. His passing was a great loss for the Palestinian people. It was deeply tragic that the cause to which he had dedicated his life remained unfulfilled at the time of his passing, and his people continued to suffer from the denial of their right to self-determination, owing to Israel's ongoing occupation and oppression of the Palestinian people.

13. The Palestinian people were going through a very difficult phase in their national struggle. Despite the difficulties, the transfer of power had been proceeding smoothly. The main goal now was to conduct free, fair and democratic elections to ensure legitimacy and support for the executive and legislative institutions. In accordance with the Palestinian Constitution, elections should be held within 60 days, which would mean by 9 January 2005. In that regard, the Permanent Observer Mission of Palestine requested the international community, including the Committee, to extend support and assistance to the Palestinian people in order to ensure the success of that important endeavour.

14. Work must continue towards a return to negotiations to bring an end to the prolonged conflict and to achieve a final peace settlement. The road map remained the only viable initiative towards that end. The Palestinian leadership had always supported the road map and worked for its implementation, yet regrettably the occupying Power continued to undermine any efforts to implement the road map and even took measures directly intended to undermine it. In that context, she urged the international community to take the necessary measures to compel Israel to cease its violations and grave breaches of international law against the Palestinian people. The daily death and destruction that continued to be wrought by the occupying Power in the Occupied Palestinian Territory, including East Jerusalem, must be brought to an end. That was a prerequisite for real change and progress to occur at all levels. Israel must be compelled to adhere to its legal obligations under international law, and the international community, including the Quartet, must exert more concrete efforts to bring the parties back to negotiations and to facilitate the implementation of the road map. It was imperative that the international

community, particularly the United Nations, should play an active role in bringing an end to the occupation and achieving the two-State solution, based on the pre-1967 borders.

15. On behalf of the delegation of Palestine, she expressed deep appreciation and gratitude for the heartfelt condolences and kind words expressed to the Palestinian people and their leadership upon the passing of President Arafat.

16. Mr. Hachani (Tunisia) said that his delegation associated itself with the statement made by the observer for Palestine. The Committee must take note of the statement made by the observer for Palestine and reaffirm the need for the international community to become more deeply involved in providing assistance to the Palestinian people, not only to overcome existing obstacles but also to assist them in preparations for elections.

#### **Consideration of the draft resolutions on the question of Palestine**

17. Mr. Assaf (Lebanon) said that his delegation also extended its condolences to the Palestinian people on the passing of their leader Yasser Arafat. Turning to the draft resolutions on agenda item 37, he said that there were problems with the Arabic versions of all four draft resolutions, which should be revised before they were issued in their final form. Entire paragraphs were missing, as well as individual words.

18. The Chairman said that the Secretariat had taken note of the observations made by the representative of Lebanon and would correct the errors in the Arabic texts. He invited members to consider the draft resolutions. The texts had been discussed and approved by the Bureau, which recommended them for approval by the Committee. The drafts had been updated to reflect the recent developments on the ground and in the peace process, and a number of substantive, as well as editorial and technical changes had been made.

19. The first two draft resolutions dealt with the work of the Committee and the work of the Division for Palestinian Rights of the Secretariat. In the draft on the work of the Committee, the fifth preambular paragraph had been slightly shortened and brought up to date. There were two new preambular paragraphs in the draft resolution. A new preambular paragraph, which now became the second preambular paragraph, had been added by making a reference to General Assembly

resolution 58/292, adopted on 6 May 2004, on the Status of the Occupied Palestinian Territory, including East Jerusalem. The other new preambular paragraph, which was now the sixth preambular paragraph, read:

*"Recalling the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice on the 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory', and recalling in this regard resolution ES-10/15 of 20 July 2004,"*

20. In the draft resolution on the Division for Palestinian Rights of the Secretariat, a phrase had been added to operative paragraph 6, which would now read:

*"6. Requests the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day."*

21. In the preambular part of the draft resolution entitled "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat", a new paragraph had been added, which now became the seventh preambular paragraph. It read:

*"Taking note of the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice on the 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory,'"*

There was also a change in operative paragraph 3 (d), which now read:

*"(d) To organize and promote fact-finding news missions for journalists to the area, including the Occupied Palestinian Territory, including East Jerusalem."*

22. Mr. Rowe (Sierra Leone), referring to the draft resolution on the Division for Palestinian Rights of the Secretariat, said that operative paragraph 2 should be strengthened by specifying what contribution was expected of the Division. The present text read: "Considers that the Division for Palestinian Rights of

the Secretariat continues to make a useful and constructive contribution". Some wording should be found to indicate specifically what that contribution was, based on the functions of the Division.

23. Mr. Mekdad (Syrian Arab Republic) said that his delegation wished to join others in expressing sincere condolences on the passing of Mr. Arafat. His delegation strongly supported the Bureau's changes to the draft resolutions, particularly to the paragraphs concerning the advisory opinion of the International Court of Justice. His delegation hoped that the draft resolutions would be supported by a large majority of Member States in the General Assembly.

24. The Chairman said that the Committee would take note of the observations made by the representative of Sierra Leone. He invited the Sierra Leone delegation to propose the wording to clarify the functions of the Division for the Rights of the Palestinian People, which were, essentially, to provide the secretariat for and facilitate the work of the Committee.

*Draft resolution entitled "Committee on the Exercise of the Inalienable Rights of the Palestinian People"*

25. The Chairman said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

26. *It was so decided.*

*Draft resolution entitled "Division for Palestinian Rights of the Secretariat"*

27. The Chairman said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution, bearing in mind the observations made by the delegation of Sierra Leone.

28. *It was so decided.*

*Draft resolution entitled "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat"*

29. The Chairman said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

30. *It was so decided.*

*Draft resolution entitled "Peaceful settlement of the question of Palestine"*

31. The Chairman said that, if he heard no objection, he would take it that the Committee decided to approve the draft resolution.

32. *It was so decided.*

33. The Chairman informed the Committee that negotiations on the draft resolution entitled "Peaceful settlement of the question of Palestine" were continuing between the Committee and other parties concerned. Members would be informed when the negotiations had concluded. The draft resolution would be submitted to the General Assembly, at which time all delegations would have an opportunity to propose amendments and make comments. He strongly urged all Committee members and observers to participate actively in the General Assembly plenary debate on agenda item 37, Question of Palestine, starting on 29 November. Delegations that wished to become sponsors of the four draft resolutions were invited to sign the texts after the present meeting was adjourned or to contact the Secretariat as soon as possible.

**Other matters**

34. The Chairman announced that the International Day of Solidarity with the Palestinian People would take place on Monday, 29 November. In view of the special importance attached to the annual event, he requested all members and observer delegations to be represented at the ambassadorial level.

*The meeting rose at 11.35 a.m.*